

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
AT BLUEFIELD

KASHIKA SPEED,

Plaintiff,

v.

CIVIL ACTION NO. 1:21-00486

MR. C. MARUKA, et al.,

Defendants.

MEMORANDUM OPINION AND ORDER

Pending before the court is plaintiff Kashika Speed's "Notice for Reconsideration or Notice of Appeal[.]" (ECF No. 13). Mr. Speed filed this identical motion in two other cases: Civil Action Numbers 1:20-00391 and 1:20-00274.

In the motion, Mr. Speed asks the court to reconsider "the Memorandum Opinion and Order, filed on March 23, 2023." (Id. at 1). Of the three cases in which he filed this motion, Civil Action Number 1:20-cv-00391 is the only one with a Memorandum Opinion and Order filed on March 23, 2023, (see Civil Action No. 1:20-cv-00391, ECF No. 6), and the court will address Mr. Speed's motion to reconsider in that case. Because this case does not contain an order dated March 23, 2023, Mr. Speed's motion for reconsideration of that order is **DENIED**.

Mr. Speed moves the court in the alternative to construe his motion as a Notice of Appeal: "[I]f the court rejects this

Notice for Reconsideration, th[e]n Plaintiff moves this court for Notice of Appeal to the Fourth Circuit Court of Appeals." (See ECF No. 13 at 1). He further explains that "in the interest of Plaintiff['s] appeal rights, he is requesting this court . . . [n]ote his [a]ppeal as timely to the last Order, entered on record, filed 3/23/2023, to the Fourth Circuit Court of Appeals." (ECF No. 13 at 3).

Considering Mr. Speed's pro se status, the Clerk is **DIRECTED** to construe his filing as a timely Notice of Appeal and to **TRANSMIT** it to the United States Court of Appeals for the Fourth Circuit.¹

The Clerk is directed to forward a copy of this Memorandum Opinion and Order to petitioner, pro se.

IT IS SO ORDERED this 11th day of March, 2024.

ENTER:

A handwritten signature in black ink, reading "David A. Faber", is written over a horizontal line.

David A. Faber
Senior United States District Judge

¹ The court again notes that no order was filed on March 23, 2023, in this case; that order was filed in No. 1:20-cv-00391.